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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation of Substance of Interview including description of the general nature of what was discussed: This interview summary is a result of the pre-appeal brief request for review requested by applicant filed on 8-7-09. Examiner notifies applicant that the 35 U.S.C. 112 first paragraph new matter rejection will be withdrawn in view of the amendment filed 5-8-09. Upon further consideration and in light of the specification, the 35 U.S.C. 112 first paragraph enablement rejection will be withdrawn because the specification doesn't seem to contemplate assembling the modulatable molecule in vivo, and the in vivo use of said molecule is after said molecule have been produced. The 35 U.S.C. 102(b) & (e) and 103(a) rejections are maintained. The claims remain rejected for the reasons of record .